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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/556,837

11/15/2005

Dieter Ramsauer

GK-STR-1011/500638.20033

3764

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7590

04/01/2009

REED SMITH, LLP

ATTN: PATENT RECORDS DEPARTMENT

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NEW YORK, NY 10022-7650

EXAMINER

DELISLE, ROBERTA S

ART UNIT

PAPER NUMBER

3677

MAIL DATE

DELIVERY MODE

04/01/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/556,837	Applicant(s) RAMSAUER, DIETER	
	Examiner ROBERTA DELISLE	Art Unit 3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32 and 33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32 and 33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 2/8/08 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 1/27/09 have been considered but are moot in view of the new ground(s) of rejection.
2. **Claim Status:**
 - a. Claim 32 Original
 - b. Claim 33 Currently Amended
 - c. Claims 34-62 Withdrawn
 - d. Claims 1-31 Cancelled
3. **Prior Art References:**
 - e. Smith et al. US 5,632,061
 - f. Fischer US 6,106,055

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

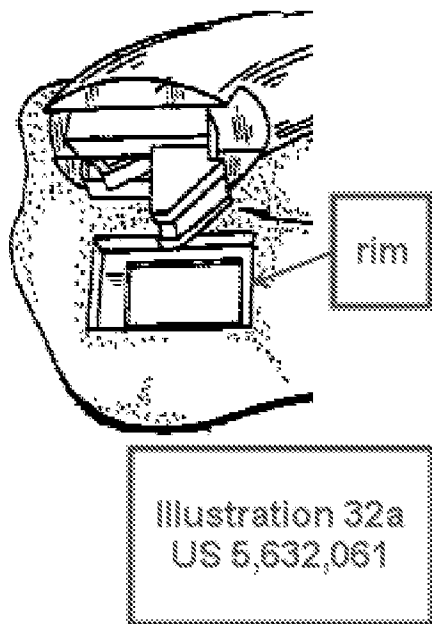
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. (US 5,632,061) in view of Fischer (US 6,106,055).

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**Regarding Claim 32, Smith discloses:
Reference figures 1-3, for example**

(Original) A handle (**Abstract**) comprising: at least one [...] which can be mounted in an opening (12) (14, 15) in a thin wall (14) (22) such as a sheet-metal cabinet door; a head part (28) (12), such as a flange or olive-shaped handle, which overlaps the rim (24) (**See Illustration 32a below**) of the opening (12) (14, 15) of the thin wall (14) (22) on its outer side; a body part (30) (39') which proceeds from the head part (28) (12) and can be pushed through the opening (12) (14, 15) in the thin wall (14) (22); a holding part (34) (32) which is carried by the body part (30) (39'), supported on the other side (32) (25) of the thin wall (14) (22), and is separate from the body part (30) (39'); and said holding part (34) (32) being formed by [...] which project in a flexible manner from the body part (30) (39') in the direction of its outer surface and whose free end has an inclined surface (38) (33) for supporting the body part (30) (39') on the rim (24) (**See Illustration 32a below**) or edge (40) (13) of the opening (12) (14, 15) without play.



Smith discloses a handle but does not disclose a holding plate or holding elements.

**Fischer teaches:
Reference figures 1-6, for example**

... holding plate (16) (54) ...

... holding elements (36) (45, 48) ...

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Examiner notes that Smith discloses a handle. Fischer teaches a handle with a holding plate and holding elements. These features provide a secure means for holding a handle in place. It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Smith with a holding plate and holding elements as taught by Fischer to provide a secure means for holding a handle in place.

Regarding Claim 33, Smith as modified by Fischer discloses a handle but does not disclose two holding elements for the opening.

Fischer teaches:

(Currently Amended) The handle according to claim 32, wherein the holding elements (32, Fischer) are two holding elements (36-1, 36-2) **(45, 48, Fischer)** which for the opening (14, 15, Smith) of the thin wall, wherein the two holding elements (32, Fischer) are arranged diametrical to one another are provided for each opening of the thin wall and are acted upon by pressure elements **(Column 4 Lines 17-26)** or two coil springs, or wedge arrangements (56) **(figure 5, Fischer)** such as conical screws.

Examiner notes that Smith discloses a handle. Fischer teaches a handle that uses a wedge based fastener with two holding elements. These features provide a more secure means for holding a handle in place. It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Smith with a wedge based fastener with two holding elements as taught by Fischer to provide a secure means for holding a handle in place.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERTA DELISLE ("Bobbi") whose telephone number is (571) 270-3746. The examiner can normally be reached on M-F 8 AM to 4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Victor D. Batson can be reached on (571) 272- 6987. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Victor Batson/
Victor D. Batson
Supervisory Patent Examiner
Art Unit 3677

rsd